

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

SALMA MERRITT, ET AL,

Plaintiff,

v.

KEVIN E. MCKENNEY, ET AL,

Defendant.

No. C 13-01391 JSW

**ORDER SETTING BRIEFING
SCHEDULE AND HEARING
DATE ON PENDING MOTIONS**

On June 28, 2013, this action was reassigned to the undersigned Judge.

Previously, on May 7, 2013, Defendants Kevin E. McKenney, Thomas W. Cain, Mark H. Pierce, Socrates P. Manoukian, and Santa Clara County Superior Court (the “Court Defendants”) filed a motion to dismiss the First Amended Complaint. (*See* Docket No. 14.) That motion is fully briefed and is scheduled for a hearing on August 30, 2013.

On May 21, 2013, Defendants Lynn Searle and Michael G. Desmarais (the “Attorney Defendants”), filed a motion to dismiss. (Docket No. 17.) It does not appear that Plaintiffs have opposed this motion. Although Docket No. 25 states that it is an opposition to Docket No. 17, the document at Docket No. 25 is actually an opposition to the Court Defendants’ motion to dismiss. Accordingly, it is **HEREBY ORDERED** that Plaintiffs shall file an opposition to the Attorney Defendant’s motion by July 23, 2013, and the Attorney Defendants shall file a reply by July 30, 2013. The Court shall hear the Attorney Defendants’ motion to dismiss on August 30, 2013 at 9:00 a.m. in Courtroom 11 of the United States District Court for the Northern District of California, 450 Golden Gate Avenue, 19th Floor, San Francisco, California, 94102.

1 On May 30, 2013, Plaintiffs filed a Motion for Leave to File a Second Amended
2 Complaint, which is fully briefed and ripe for resolution. The Court also shall hear that motion
3 on August 30, 2013 at 9:00 a.m. in Courtroom 11 of the United States District Court for the
4 Northern District of California, 450 Golden Gate Avenue, 19th Floor, San Francisco, California,
5 94102.

6 Finally, On July 2, 2013, Plaintiffs filed a Motion to Appoint Counsel for Disabled
7 Plaintiff Beatrice Pacheco-Sparks. (Docket No. 42.) Plaintiffs noticed that motion for August
8 9, 2013. However, that date is not an available date for motions. Accordingly, the Court shall
9 hear the motion to appoint counsel on August 30, 2013, at 9:00 a.m. in Courtroom 11 of the
10 United States District Court for the Northern District of California, 450 Golden Gate Avenue,
11 19th Floor, San Francisco, California, 94102. **The briefing schedule triggered by the filing of**
12 **the motion remains unchanged.**

13 If the Court finds any of the motions suitable for disposition without oral argument, it
14 shall notify the parties in advance of the hearing date. If any party seeks to modify the briefing
15 schedules imposed by this Order or to change the hearing date, that party must submit a request
16 to the Court that demonstrates good cause for any proposed modification.

17 Finally, the Court HEREBY ADVISES Plaintiffs that the Handbook for Pro Se
18 Litigants, contains helpful information about proceeding without an attorney, is available
19 through the Court's website or in the Clerk's office. The Court also advises Plaintiffs that they
20 also may wish to seek assistance from the Legal Help Center. Plaintiffs may call the Legal
21 Help Center at 415-782-9000, extension 8657, or sign up on the 15th Floor of the Courthouse,
22 Room 2796, for a free appointment with an attorney who may be able to provide basic legal
23 help, but not legal representation.

24 **IT IS SO ORDERED.**

25 Dated: July 9, 2013


26 JEFFREY B. WHITE
27 UNITED STATES DISTRICT JUDGE
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